

United States District Court
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

**CHAPWOOD CAPITAL INVESTMENT
MANAGEMENT, LLC and ED BUTOWSKY,**

Plaintiffs,

v.

**CHARLES SCHWAB & CO., INC., WALTER
W. BETTINGER, II, and KEVIN LEWIS,**

Defendants.

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Civil No. 4:18-cv-548-ALM-KPJ

ORDER

Pending before the Court is a Joint Stipulation of Dismissal with Prejudice (the “Stipulation”) (Dkt. #29), filed by Plaintiffs Chapwood Capital Investment Management, LLC and Ed Butowsky (collectively, “Plaintiffs”) and remaining Defendants Charles Schwab & Co., Inc., Walter W. Bettinger, II, and Kevin Lewis (collectively, “Remaining Defendants”). In the Stipulation, Plaintiffs and Remaining Defendants represent they have resolved their differences to their mutual satisfaction and agree to dismissal of Plaintiffs’ case with prejudice against Remaining Defendants, with each party to bear their own costs, fees, and expenses. *See* Dkt. #29.

Federal Rule of Civil Procedure 41(a)(1) provides that a plaintiff may voluntarily dismiss an action without court order in one of two ways: (1) a plaintiff may dismiss an action under Rule 41(a)(1)(A)(i) by filing “a notice of dismissal before the opposing party serves either an answer or a motion for summary judgment.” FED. R. CIV. P. 41(a)(1); or (2) a plaintiff may dismiss an action under Rule 41(a)(1)(A)(ii) by filing “a stipulation of dismissal signed by all parties who have appeared.” *Id.* As such, formal court action is not necessary in this case. However, the Court finds that in the interest of efficiency, justice, and maintaining the clarity of the record, an entry of order of dismissal is appropriate.

Accordingly, it is hereby **ORDERED, ADJUDGED, AND DECREED** that this entire action, and all of Plaintiffs' claims asserted against Remaining Defendants therein, be **DISMISSED WITH PREJUDICE**. Each party shall bear its own costs.

All relief not previously granted is hereby **DENIED**, and the Clerk is directed to **CLOSE** this civil action.

IT IS SO ORDERED.

SIGNED this 28th day of January, 2021.


AMOS L. MAZZANT
UNITED STATES DISTRICT JUDGE